

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
)
v.) No. 3:06-CR-19
) (JORDAN/GUYTON)
BRAD SMITH,)
)
Defendant.)

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. This matter came before the Court on May 15, 2007 for a hearing on the Petition For Action On Conditions Of Pretrial Release [Doc. 11]. Assistant United States Attorney Tracy Stone was present on behalf of the government. Attorney Kim Tollison was present on behalf of the defendant, who also was present.

The defendant was placed on pretrial release, with conditions, on April 5, 2007 [Doc. 9]. One of the conditions of release was as follows: "The defendant shall not commit any offense in violation of federal, state, or local law while on release in this case."

The defendant signed the conditions of release, acknowledging that he was aware of all of the conditions of his release, and the sanctions for violation thereof. In addition, the Court advised the defendant, at the time the defendant signed the acknowledgment, that any violation of the terms and conditions of his release could result in detention pending trial.

On April 24, 2007, the defendant was arrested by an officer with the Knoxville Police Department, and charged, inter alia, with possession of drug paraphernalia. On or about May 3, 2007, the defendant entered a guilty plea to the charge of possession of drug paraphernalia and was sentenced.

Therefore, the Court finds that the defendant has violated the terms and conditions of his pretrial release by committing an offense in violation of state law. The government's request that the defendant's bond and pretrial release be revoked is well-taken and is hereby **GRANTED**.

The defendant shall be committed to the custody of the Attorney General for confinement and detention pending further proceedings in this case.

IT IS SO ORDERED.

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge